

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

JOHN GILBERT, )  
)  
Plaintiff, )  
)  
v. )  
)  
APC NATCHIQ, INC., )  
)  
Defendant. ) Case No.: 3:03-CV-00174-RRB  
)  
\_\_\_\_\_ )

**AFFIDAVIT OF PATRICIA L. ZOBEL IN SUPPORT OF**  
**UNOPPOSED MOTION FOR AMENDMENT OF THE SCHEDULING AND**  
**PLANNING ORDER ISSUED BY THE COURT 11/04/05**

STATE OF ALASKA )  
) ss.  
THIRD JUDICIAL DISTRICT )

PATRICIA L. ZOBEL, being first duly sworn upon oath,  
deposes and states as follows:

1. I am counsel of record for Defendant, APC Natchiq, Inc., in the case of *John Gilbert v. APC Natchiq, Inc.*

2. Under the Scheduling and Planning Order in effect in this case, discovery is to close by 05/01/06. The parties began attempting to schedule certain depositions including that of the Plaintiff and principals of APC Natchiq, Inc., in mid-March. Unfortunately, because of other commitments of both counsel and Mr. Covell's trial schedule and travel schedule, the parties were unable to find mutually agreeable dates prior to the

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102140 - Affidavit of Patricia L. Zobel in Support of Unopposed Motion for Extension  
of Times in Amended Scheduling and Planning Order by the Court 11/04/05  
*Gilbert v. APC Natchiq*, Case No.: A03-0017 CV; Page 1 of 3

closing of discovery 05/01/06 within which to complete depositions. The parties have, however, exchanged extensive discovery and interrogatories.

3. The parties have conferred on several occasions attempting to find mutually agreeable dates and have now scheduled depositions to occur the end of May and beginning of June of the main principals in this case.

4. The parties would request that the close of discovery be extended until 06/30/06 to allow for the taking of these depositions and to provide the parties with sufficient time to ascertain whether there are other depositions that need to be completed prior to certification of readiness for trial.

5. In light of the change of the discovery date, the parties further request that the Court extend the date for motions under the discovery rules to be filed by 08/04/06 and that dispositive motions and motions in limine similarly be filed on or before 08/04/06.

6. The parties have conferred extensively on these dates and believe that through these extensions there will be no further need for delay in preparation of the case for trial.

7. This motion is unopposed by both parties and is being brought by the Defendant only for the convenience of the parties.

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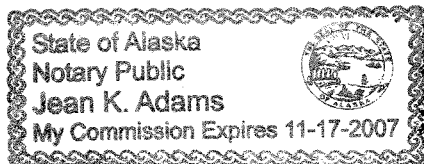
8. If the extension is not granted, this would preclude the Defendant from being able to depose Mr. Gilbert as Mr. Covell is unavailable for Mr. Gilbert's deposition during the time set in the pretrial order.

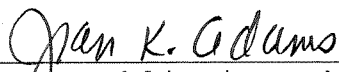
FURTHER AFFIANT SAYETH NAUGHT.



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SUBSCRIBED AND SWORN to before me this 19th day of April, 2006.



  
Notary Public in and for Alaska  
My Commission Expires: 11/17/07

This is to certify that a true copy of the foregoing was mailed this 19<sup>th</sup> day of April, 2006, to the following:

Kenneth L. Covell  
712 8th Avenue  
Fairbanks, AK 99701

By:   
Jean Adams

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Gilbert v. APC Natchiq, Case No.: A03-0017 CV; Page 3 of 3